

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
DONALD HOMAN	:	VIOLATIONS:
	:	21 U.S.C. § 846 (conspiracy to distribute
	:	and possess with intent to distribute
	:	Schedule II controlled substances
	:	- 1 count)
	:	21 U.S.C. § 841(a)(1) (possession with
	:	intent to distribute Schedule II controlled
	:	substances - 1 count)
	:	18 U.S.C. § 2118 (pharmacy burglary
	:	involving theft of controlled substances
	:	- 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about 2003 to on or about July 26, 2003, in West Norriton, in the Eastern District of Pennsylvania, and elsewhere, defendant

DONALD HOMAN

conspired and agreed with others known and unknown to the grand jury to knowingly and intentionally distribute and possess with intent to distribute approximately 14,320 tablets containing controlled substances, that is, oxycontin, oxycodone, percocet, percodan and roxicet tablets, each a Schedule II controlled substance, in violation of Title 21, United States Code, Section

841(a)(1), (b)(1)(C).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 26, 2003, in West Norriton, Montgomery County, in the Eastern District of Pennsylvania, defendant

DONALD HOMAN,

knowingly and without authority, entered the business premises of the Medicine Shoppe, 2113 West Main Street, West Norriton, Pennsylvania, a pharmacy owned by a person registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, with the intent to steal materials and compounds containing any quantity of controlled substances, including, but not limited to, oxycontin, oxycodone, percocet, percodan and roxicet tablets, each a Schedule II controlled substance, having an aggregate replacement cost to the registrant of more than \$500.

In violation of Title 18, United States Code, Section 2118.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 26, 2003, in West Norriton, in the Eastern District of Pennsylvania, defendant

DONALD HOMAN

knowingly and intentionally possessed with intent to distribute, and aided and abetted the possession with intent to distribute of, approximately 14,320 tablets containing Schedule II controlled substances, including but not limited to, oxycontin, oxycodone, percocet, percodan and roxicet tablets, each a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 21, United States Code, Sections 846 and 841(a)(1), set forth in this indictment, defendant

DONALD HOMAN

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses; and

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

2. If any of the property, subject to forfeiture, as a result of any act or omission of the defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with a third person;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) to seek forfeiture of any other property of the defendants up to the value of the property subject to

forfeiture.

All pursuant to Title 21, United States Code, Section 853.

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney